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HOWARD WAGNER
CIRCUIT CLERK

IN THE CIRCUIT COURT OF THE COUNTY OF JEFFERSON
STATE OF MISSOURI

L.A., a minor, by and through her
Next Friend and Natural Mother,
T.K.,

Plaintiffs,

VS.

TARGET CORPORATION,
Serve:
CT Corp
120 S. Central Ave.
Clayton, MO 63105

Defendant.

) Cause No. 12 JEC00025

) Division No. 7

) JURY TRIAL DEMANDED

PETITION FOR DAMAGES

Comes now L.A., by and through her Next Friend and Natural Mother, T.K., and by and through their attorneys PEDROLI & GAUTHIER, and hereby state to the Court as follows:

1. Plaintiff, L.A., at all times herein mentioned, was and is a minor over the age of 14, and is the natural daughter of T.K. and is a resident of the State of Missouri.
2. T. K., at all times herein mentioned is the natural mother of L.A. and has been appointed Next Friend of L.A. for purposes of prosecuting this cause of action.
3. That defendant Target Corporation is a foreign corporation licensed to do business in the State of Missouri, and at all times mentioned herein owned and operated the Target store at 3849 Vogel Road, Arnold, MO 63010, which is located in Jefferson County, Missouri.

4. That at all times mentioned herein, defendant Target Corporation acted by and through its agents, servants and employees.

5. That on or about February 11, 2011, Plaintiffs L.A., a minor, and her mother, T.K., were business invitees lawfully on the premises of defendant's Target store located at 3849 Vogel Road, when due to the negligence of Defendant's agents, servants and employees, Plaintiff L.A., a minor, sustained personal injuries and damages as a result of an adult male sexual voyeur taking photographs of her and watching her while she tried on various clothing including swimming suit tops in the girl's fitting room or changing area (hereinafter referred to as either term).

6. That this Target store has separate men's and women's changing areas with separate entrances which shared a common wall which wall was not built all the way to the ceiling allowing persons to get into position and spy over the wall into the women's changing area and the locking private cubicles within the women's changing area.

7. That Target was aware or could have been aware that individuals including the specific person involved in this incident, have repeatedly engaged and attempted to engage in voyeurism and invasion of women's privacy while women were changing and removing their clothes in the changing area at this Target store by spying over the same wall and at other area Target stores and other area stores with changing rooms within the previous several years.

8. That the aforesaid incident and the personal injuries and damages sustained by plaintiff L.A., a minor, were directly caused by the negligence of Defendant

by the condition of the premises which condition was not reasonably safe in the following respects:

(a) That there was a gap above the wall between the men's and women's fitting rooms below the ceiling which allowed men in the men's fitting room to get into a position to peek and spy into the women's fitting room area including the enclosed private locking cubicles, and as a result, the women's fitting room was not reasonably private and safe from spying by voyeurs and paraphiliacs;

(b) Defendant knew or by using ordinary care could have known of this condition and Defendant failed to use ordinary care to barricade or close off the gap;

(c) Defendant negligently warranted, undertook and represented that its female business invites were safe and secure from being seen by male customers or interlopers by the nature of the general design of the dressing areas and the totality of the circumstances of the environment in that there were gender separate fitting rooms segregated from the shopping area with lockable private cubicles within these fitting rooms;

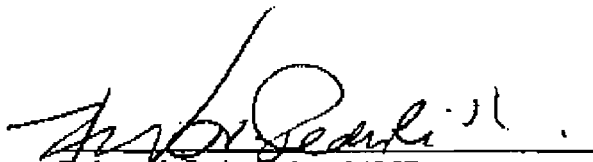
(d) Defendant failed to supervise and monitor the women's dressing room to prevent people from peeking and spying into the women's dressing room;

(e) Defendant knew or by using ordinary care could have known of the prior incidents of invasion of privacy and voyeurism on these and other premises and failed to exclude and bar said known violators from their premises; failed to monitor for said individuals to exclude them; failed to adequately supervise the changing area; and failed to barricade the open space between the men's and women's changing areas.

9. That as a direct result of the negligence of Defendant as stated above, Plaintiff L.A., a minor suffered, suffers and will continue to suffer from post-traumatic stress syndrome, emotional distress and mental anguish, and that her injuries are permanent and progressive. Plaintiff, L.A. has fear and apprehension that a partially clothed image photograph of her is being circulated on the internet or otherwise has been published for prurient or other purposes.

10. That as a direct result of the negligence of Defendant as stated above, Plaintiff T.K. has been caused to expend sums of money for reasonable medical and doctor care for L.A., and Plaintiff L.A., a minor, will be caused to undergo further reasonable and necessary medical care and treatment in the future for which she and T.K. will become indebted.

WHEREFORE, Plaintiffs, L.A., a minor, by and through her Next Friend and Natural Mother, T.K., and T.K. both pray judgment against Defendant, Target Corporation, for a fair and reasonable amount in excess of Twenty-Five Thousand Dollars (\$25,000.00), and for their costs expended herein, and for such other and further relief as the Court deems proper.



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